

EXHIBIT 1

Cambridge Who's Who Publishing, Inc. v. Xcentric Ventures, LLC et al

Doc. 18 Att. 1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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CAMBRIDGE WHO'S WHO PUBLISHING,
INC.,

a New York corporation,

Plaintiff,

v.

XCENTRIC VENTURES, LLC., an Arizona
limited liability company, d/b/a/ RIP-OFF
REPORT, and/or RIPOFFREPORT.COM, and/or
BAD BUSINESS BUREAU, and/or
BADBUSINESSBUREAU.COM

and

EDWARD MAGEDSON, a/k/a Ed Magedson,
an individual,

Defendants.

**SECOND
SUPPLEMENTAL
DECLARATION OF ED
MAGEDSON IN
SUPPORT OF
DEFENDANT XCENTRIC
VENTURES, LLC'S
MOTION TO DISMISS
FOR LACK OF
JURISDICTION**

Case No.: 2:06-cv-06590-
JS-ETB

-----X

I, Edward Magedson, declare under penalty of perjury as follows:

1. I am the Manager of Xcentric Ventures, LLC. Xcentric operates a website known as "The Rip-Off Report" which is located at www.ripoffreport.com and www.badbusinessbureau.com (the "ROR Site").
2. The ROR Site is a free resource available to the public as well as government officials, the FBI, state and local, law enforcement, attorneys general, and so forth. This website has been in operation since 1998 and we currently receive millions of hits every week.
3. Xcentric has never collected a fee to view reports, search reports, post reports or post rebuttals.

4. As part of the process of submitting a report to the ROR Site, the user creates a title or heading for the report. Xcentric does not create the title or heading for the user.
5. Companies and individuals who have been the subject of a Rip-Off Report are welcomed and encouraged to post a rebuttal explaining their side of the story if they believe the report is inaccurate in any way. The ROR Site charges nothing for this.
6. The extent of any editing performed by Xcentric "editorial staff" is that a report or rebuttal is reviewed only to confirm that it does not contain pornography, social security numbers, credit card numbers, or physical threats. Any report that contains such material may be deleted or redacted at the discretion of Xcentric.
7. None of the reports and/or rebuttals about Cambridge Who's Who, Inc. were authored or posted by any of Xcentric's editorial staff. It would be a clear violation of Xcentric's rules for any agent of Xcentric to author or post a report or rebuttal, or to add any content to any report or any report title, without my express permission. All of these reports and/or rebuttals were written by independent third-party users of the ROR Sites.
8. Xcentric's editorial staff did not include any additional language to any reports posted on the ROR Sites about Cambridge Who's Who, Inc.
9. Xcentric's editorial staff has not directed, instructed, or otherwise caused to have any reports published on the ROR Sites about Cambridge Who's Who, Inc.
10. Xcentric's editorial staff does not omit any comments, positive or otherwise, from the ROR Sites. By the nature of being the "Rip-Off

Report", the vast majority of reports and rebuttals submitted to the ROR Sites are negative.

11. There are two books marketed on the ROR Sites. One is a consumer guide, and the other is a guide to mortgages. The books are advertised on the ROR Site by Consumer Media Publishing, LLC, a company affiliated with Xcentric.
12. Consumer Media, and not Xcentric, ships the books to consumers throughout the country.

I declare the foregoing to be true under penalty of perjury.



Edward Magedson

Date:

8-15-07